



CITY of BEAVERCREEK

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STEPHEN M. STAPLETON
City Manager

February 11, 1993

Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RE: **IN THE MATTER OF IMPLEMENTATION OF SECTIONS OF CABLE TELEVISION
CONSUMER PROTECTION AND COMPETITION ACT OF 1992 - RATE REGULATION
MM DOCKET NO. 92-266**

Dear Commissioners:

The City of Beavercreek hereby submits these reply comments in the above-captioned proceeding. The Federal Communications Commission ("FCC" or "Commission") seeks comments on proposed rules to implement Sections 623, 612 and 622(c) of the Communications Act of 1934, as amended by Sections 3, 9 and 14 of the Cable Television Consumer Protection and Competition Act of 1992 ("1992 Cable Act").

The City of Beavercreek strongly supports comments filed by the National Association of Telecommunications Officers and Advisors, the National League of Cities, the United States Conference of Mayors, and the National Association of Counties (collectively, the "Local Governments") in this proceeding. Beavercreek agrees with the Local Governments that the main goal of the Commission in implementing the above provisions in the 1992 Cable Act is to ensure that "consumer interests are protected in the receipt of cable service." (Section 2(b)(4), 1992 Cable Act.) The Commission should adopt regulations implementing Sections 623, 612 and 622(c) that enable Local Governments to work cooperatively with the Commission to ensure that cable subscribers receive the protection intended by the 1992 Cable Act. Such regulations should include

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Among other comments and proposals by the Local Governments, Beavercreek supports the following comments or proposals:

1. Current cable rates must be reduced if necessary to ensure that they are "reasonable," as required by Section 623.
2. The Commission should permit local governments flexibility in establishing procedures and regulations for reviewing local basic cable rates, so long as such procedures and regulations are not irreconcilable with the

7. The Commission should establish a "benchmark," rather than a "cost-of-service," model for regulating the rates for basic cable service and cable programming services. Such a method of regulation is consistent with Congress' desire that the Commission create a formula that is uncomplicated to implement, administer and enforce.
8. The rate of any installation and equipment used to receive basic cable

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The City of Beavercreek urges the Commission to adopt the above proposals and the other proposals raised in the Local Governments' comments.

Sincerely,

A handwritten signature in black ink, appearing to be "S. Sullivan", written over a series of horizontal lines.